P. F. 45 of 92.

G. R. S. IX-5]

Previous references.

1892-93.

192.

(L. R.)

File No. 1382

Serial Nos. 1—14

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—14

Part B for

SUBJECT.

Appeal of Ranjundappa of Benki post, Sirsi Taluk regarding the Partition of the Inheritance.

WD 2232—GPP—20,000—14-6-20

(General Serial No. 32.)

1892

(2)

(3)

No. 727

Name of Petitioner. Ranjundappa Patel

Village. Benkipur

Taluk. Shimoga.

District. Do.

Date of Arzi. 5th September

Date of Receipt 14th September

Date of Disposal.

No. of Enclosures.

(1) Stamp Correct

(2) Order produced

(3) Appeal in time.

(4) Rule I Cl (1)

Mis Hoo Rules

Call for Proceedings & the usual report

BO

M

13/10/92

13/10/92

ABSTRACT.

One Ittiman Gale was the Patel of Benkipur and was dismissed by the then Asst. Commr. for Shimoga and Ranipur being concerned in some riot cases. The Deputy Commr. also ordered that the office should not be given to his descendants, and cancelled Petitioner as the Patel in his place.

The present Deputy Commr. passed orders vide Para 221 of S. S. C. making Arrangements for the restoration of the dismissed Patel

Mysore Govt. Central Press Bangalore—7-9-92,—1000.

The Bar Council's
office and addresses are (14)
Muhammad Faeeza as
his Counsel

Petitioner affirms against
the above order and
prays for his reinstatement

S.C.

Pet
456

(5)

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 727
dated 15th Septr 92 received at the
Dewan's Office from Rangiadappa,
late Patel of Bellikeri,
Shimoga Taluk, appealing
against the Default Commrs
order appointing Abdul Kadir
the Patel in place of Petitioner, and
Mahomed Hussain as Patel's Surety

is forwarded, together with its
enclosures, to the Default Commr
Shimoga Dist for submission
of proceedings and a report on
the facts of the case and on
the points taken in the petition.
The Petn should be returned

By Order,

Draft

for Chief Secretary.

BANGALORE,
Octr 1892

22

Encl- issued
22/10/92

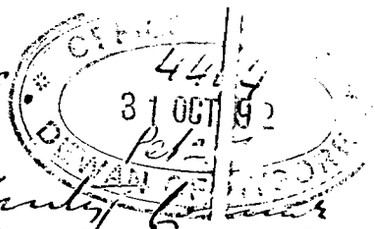
27-10-92
7188
Shimoga Dist
R. R. 133-92-3

(6)

L.R. 133-92-3

(General Serial No. 30.)

1892



From The Deputy Collector Shimoga

To The Chief Secretary to the Government Bangalore

Dated 27th

Despatched

Received 31 Oct 92

Enclosures No. in Cover

General No. 718

No. 088

Returns Petition received with H.C. memo No. 456 dated 22nd Instt with Pros: of the case regarding the Patels of Benkipur and submits report thereon

Esd Boswell
31/Oct/92

C.

Submitted
Miller

Submitted for orders -

Petitioner, Virupad Ajjan Patel of Benkipur has complained against the Amildar of Davangere of extortion -

Petr was a Candidate - In 1883 during the minority of the Hattikan Patel Petr was recommended, by the Collector of Bellary, for appointment as Patel, but the Collector of Shimoga, to whose jurisdiction the village belonged, objected to Petr on account of his youth, and the appointment was made in favour of Petr's uncle - In 1887 the said Hattikan Patel was sentenced to imprisonment for an offence of rioting. The Amildar deputed Petr, during the absence of the Patel on leave, to collect the Government dues - Thereupon on 10th Sept 1887 the Inam Superintendent recommended Petr's appointment as Hattikan - Thereupon on 12th Sept 1887 the Inam Superintendent addressed a letter to the Deputy Commissioner of the case recommending Petr's appointment as Patel on probation for 5 years - On 20th idem the Deputy Commissioner approved of that recommendation and remarked that there was nothing to show if Petr was a man of means and local influence - Petr says that enquiry is made if there was any enquiry during which time it was ascertained that the deceased Hattikan's nephew's connections should be debarred from all right to the office; but 3 days later viz. on 23-9-87, an order was issued signed by the Inam Superintendent Mr Nanjundachar as Deputy, Mr Chandrasekhar having gone on leave, that the above order need not be given effect to for the present & that Petr should be continued - In Dec 1887 the Deputy Commissioner directed enquiry to be made into the matter, but the proceedings were not finished before the end of the year - In the meantime Petr continued to act as Patel - In 1890 one Ajjappa was appointed - In

P.T.O. 31/10/92

(7)

February 1893. The aforesaid Patel Ramchandra Keshavrao pleaded to the charge of Jasmat Jagjivan of Ankleshwar & the Patel, thereupon after enquiring the matter was submitted to Patel evidence Mr. Bryan & Sumerta

The Upsa-Upsa Jasmat Jagjivan in English -

The Mr. Jasmat says that he went of certain business to Ankleshwar this order fully -

-/6

Fix a date for hearing Give notice to Mr. Ask Dr. Cust to send his written order. 31/8/93

Posted 31-8-93

Submitted -

The Mr. Jasmat has not written a letter Order as he intended this. He says in his letter dated 28th Aug 1893 that the reference which he wished to see not being forthcoming he has nothing to add to what he already stated in this petition (No 718/688 dt 27.10.92)

6/9

30/8

(10) Sundar in anticipation
of the deputy Commissioner's
orders appointed Petitioner
to officiate in the Patel.
6. On a memo submitted
by Diwan Purnaiah dated 23.4.
the then assistant Comm.
Mr. Madhava Rao 23.4
passed the following
order on the 20th September
1887.
"The Amildar of Hukeri
Patel Hussen Sab is
approved. The whole family
of Hussen Sab, of his
brothers, and of his son
and connections will be
debarred from all right
to the Patel. The troubles
of Partitions during

the last 10 years are to are traceable to this family being connected with power.

"I am under appointment for 5 years as recommended by the Assistant Commissioner is approved."

"In the meantime enquiries may be made if there is any person or family having claims to the Estate. There is nothing on record to show who Mr Macdonald is and if he is a man of local influence and a man of means."

J. Mr Macdonald Ruo B.A withdrew the clause under three days after he signed

of the hundreds

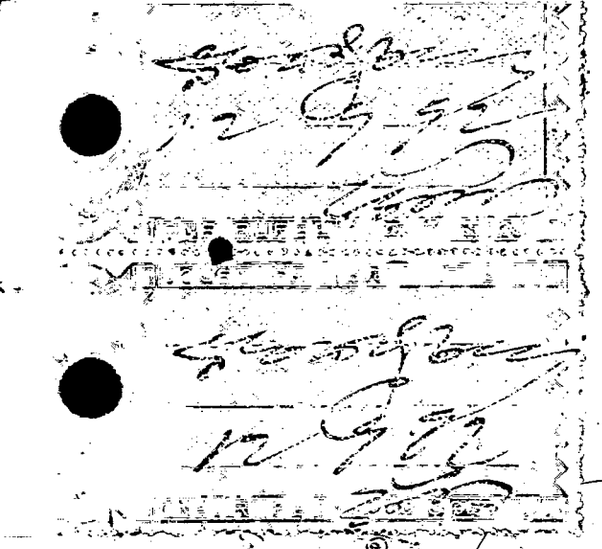
12. Patel Muhammed Hassan
and his father Rahman
Lala Mavji petitioned to me after
I took charge of the district,
I looked into the records
so far as I could collect,
and thinking that an
entire alienation of the
hereditary hundi from
the family was in no
way warranted by the
rules, appointed Muhammed
Hussain's minor son
Abdul Sattar to the
Patelki and with the
consent of his guardian
nominated Muhammed
Hussain as Gumashta
on probation for one year.

13. The final terms of any
order has yet to be re-
corded, for certain
references I wanted
are not forthcoming.

I have the honor to be
Sir
Your most obedient Servt

Abel Pedmore. R.N.B.
Deputy Commissioner
Kimmoja St

1926



MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REG'D. NO. 7274
DATE 16-9-92

(1)

(16)

A.S. No 43
72-93

(17)

565

13.8.92

నా తప్పు క్షమించి నన్ను ఉద్యోగంలో

చేర్చుకొని నన్ను బ్రతికించమని

ప్రార్థిస్తూ ఉంటాను నమస్కారములతో

ఇట్లు మీ నమ్మకమైన

తేదీ 17.8.92

Venkateswarlu

Peon

ఆఫీసు 181
17.8.92

(19)

L.R. 133-92-H

Gland

(5)

G.3

From the return to 1538 of 28-6-93.

Ref. Report from Lieut. Governor

Dated 6.3

Rec'd 28-7-93.

Encl.

No. 2089 / Ref: 1636

1 Precis + 16 file & 1 Papers as per margin.

Sir, I am directed to forward herewith for the information of Lieutenant Governor Buckley a copy of a letter from the Secretary of State for War, with its enclosures, on the subject of the grant of land to the Volunteers.

I have the

(20)

Ne pouvant avoir
voir le plaisir de vous
parler avant
partir pour aujourd'hui
demain

Bj Bolin

Mardi
le 1 Juin 1816
Bolin

(21)

(General Serial No. 30.)

1893. 1574.

Petn

Re Commissioner Shimoga District

L.R. 133-92-5

From.

To

The Chief Secretary to the Dewan of Mysore.

Dated 24th June 1893

Despatched

Received

Enclosures No. Petition and

General No. 1536

No. 1476

With reference to his docket No 2089 of the 16th 1636 instant forwarding the Proceedings and also copy of order in the case of Ramaiah Lab

Petition Branch
Petn. 30/6/93

Secl. Department 3/7/93

(24)

Proceedings of the Govt of
the Province of Bengal

(7)

Read—

(1) Correspondence ending
with letter No 538 dated
28th January 93 from the 1476
Secretary to Govt of Bengal
to address of Bengal regarding
the appeal of Baijnath Kapur
of Benares in re the will
of Benares

(2) Proceedings relating to the
dismissal of Ramchandra
from the office of Patel

Order— No 5323-4 dt 4-9-93
dated 30-10-93 / 22

The Government have
had an order passed by the
Deputy Commissioner (Pandit
Radharaman) on the 2nd
ultimo [illegible] a Sanyasi
named [illegible]
Commissioner (Babu [illegible]
-Chandra) directing that the
funeral of Sannyasi Lakshman
(also father) of the petitioner
and of his son and successor

L R 133 92-16

25

be returned forwarded, subject to the Board's order & Tribunal by the order dated 23rd Sept. issued from the Secretary's Office under the signature of the Secretary. The proceedings to and contain any order by the Examiner himself authorising the withdrawal of his order of 21st Sept. 98. The Examiner will be requested to explain upon what authority he signed the order of the 23rd September 98 ~~and file the proceedings in which he claims to have authority for doing so~~ ~~justify it~~.

Chief Secretary

4/9

GR

To the Examiner of Judicial Schools with proceedings and the order of the Secretary of State

patel Hussein Saheb, his minor son Abdul Sattar was appointed as patel and one Mahommad Hiya as Gumasta.

The Appellant urges that the restoration of the land to the family of the convicted patel is wrong as the late Deputy Commissioner had ordered that the said patel's family and connections should be debarred from all right to the office.

Decision

The appellant has no right to the office. He had been put in temporarily to do duty pending the final orders of the Dy: Comr, and his appeal is groundless and accordingly rejected.

"By order"

Chief Secretary.

Copy

Copy forwarded to the Sec. Swansea Dist. Com. for returning the Vernacular papers with reference to his No. 1538/1476 of 28th June 1893.

"By order"

Chief Secretary.

No 5395/2854 of 1893 30/7/93

SV.

Copy sent M.K.S. through Share brokers

JMcR

23/9/93.

(31)

Submitted to the Governor (Genl.) with reference—

20/11

(General Serial No. 30.)

8099

189

From The District Commissioner Rajamundry

(11)

To The Chief Secretary to the Govt of Madras

Dated 10.th

Despatched 11. November

Received

Enclosures No. one file of

General No. 120 papers as per receipt
No. in separate packet

with reference to Govt. Proceedings
No 5525—24 dated 14th Sept.r/93
C.F. 40—95.

reports regarding the hasty
signed the inconsiderate order
about the dismissal of the
Cocks of Cantipar, vigilant
ogs, being held in abeyance

Petition Revoked
18/11

him in reply that the dismissed Patel had represented his grievances personally to Mr Madhava Rao at Bankipur, when he was there on his way to Mysore for the Dassarah, & that Mr Madhava Rao thereupon wrote an order on a slip of paper directing the Revenue Sheristedar to hold the order of the Patel's dismissal in abeyance until it was reconsidered by him, & that the slip of paper on which that order was written might be found in the pigeonholes of the Revenue Sheristedar. Mr Coelho further informed me that he had made a search for that slip of paper, but in vain - Upon this, I asked Mr Coelho to make another & more diligent search for that piece of paper, & gave him ample time (nearly a month) to enable him to do it; but he at last came & told me the paper was not to be found, & suggested that a reference might be made to Mr Viraraghavacharlu

Chandu

Naidu himself on the subject - I accordingly wrote to Mr Viraraghavalu Naidu stating all the circumstances mentioned above, & requesting him to inform me of the circumstances under which the inconsistent order in question which bears his initials was issued under my signature. He has replied to say that, to the best of his recollection, when Mr Madhava Rao was encamped at Benkipur, on his way to Mysore on the 21st or 22nd September 1887, Patel Cossoorsab represented his case in person to Mr Madhava Rao, who thereupon directed that his order regarding the Patel's dismissal should be kept in abeyance - Mr Viraraghavalu Naidu says further that I was also present with Mr Madhava Rao when he passed that order, but I very much regret to say that I have not the slightest recollection of this circumstance, which, it should be remembered, occurred

× No 411 dated 15th October 1893 herewith enclosed attached to the record.

× No 1743 dated 6th Nov 1893 herewith enclosed attached to the record.

occurred 6 years ago - All I can say at present is, that I could not reasonably have issued any order inconsistent with that of Mr Madhava Rao, without an authority from him of some kind or other, especially as his written order regarding the dismissal of the Patel was passed on my own recommendation. I would however respectfully beg to suggest that a reference on the subject might be made to Mr Madhava Rao himself, as it is likely that he may remember the facts of the case better than I do - I may add that from certain vernacular correspondence on the subject which is forthcoming in the Deputy Commissioners office, and which appears to have been submitted to you by the Deputy Commissioner + which has lately been returned to him with the final order of Government on the

the subject, it would appear that the papers regarding the Patel's dismissal here more than once placed before Mr Madhava Rao, who, however, would appear to have been unable to dispose of the matter for want of time -

I have the honor to be

Sir,

your most obedt Servant

A. Thomas Jr Asst

District & Sessions Judge

Nagar Division

R.S.

No. 8465 Dt. 24/11/93
Pet. 45-93

38

Encl: A 45-93

12

To.

V. P. Radhakrishna Rao Esqr
Inspector General of Police
Bangalore.

L.R. 133-92-10

Sir,
I am directed to forward herewith for perusal & return Petition & Enclosures papers dealing with the petition dated 10th inst. from Sri B. Viswanatha, District Police Station Writer praying that the Appellate Authority will be pleased to state whether any remission of the circumstances under which the order of the dismissal of the Petitioner was made in pleasure.

2. The Departmental proceedings are herewith sent for reference and return.

By Order

(Confidential Branch)

for Chief Secretary

23/11

(General Serial No. 30.)

39

189

From

The Chief Secretary to the Dewan of Mysore.

To

Dated

Despatched

Received

Enclosures No.

General No.

No.

40

(General Serial No. 30.)

OFFICE OF THE
DIWAN OF MYSORE
21 DEC. 93

1893.

From

The Inspector General of Police

13

To

The Chief Secretary to the
Govt of Mysore

L.R. 133. 92-11

Dated 18th

Despatched December 1893

Received

Enclosures No.

General No.

No.

Stating that he has no recollection of having ordered or authorized the withdrawal of the peon dyed 2 3rd dressing that he invited Patcha Pai's petition and his family and connections be allowed from all right to the office of Police Sentinel &c.

Rpno 481

No. 8465
Pol. F. 45-93

41

OFFICE OF THE DEWAN OF MYSORE,

Dated 22nd November 1893

13

From

The Chief Secretary to the
Dewan of Mysore.

To

V. P. Madhava Rao Esquire,
Inspector General of Police,
Bangalore.

SIR,

I am directed to forward, for perusal and obliging return, file No. 45 of 1893 containing papers noting with letter No. 120 dated 10th August from Mr. B. Ramachandra District Judge, Shimoga, relative to the appeal of one Ramanadappa regarding the Patels of Benkipur in the Shimoga District and to request that you will be so good as to state whether you have any recollection of the circumstances under which the order passed by you on the 20th September 1887 as Deputy Commissioner, Shimoga District directing that the convicted Halidar Patel Hussain Sab and his family and connections be debarred from all

right

right to the Post was held in abeyance
3 days later under an order issued from
the District Office under the signature
of an Assistant Commissioner

I have the honor to be

Sir,

Your most obedient servant

for Chief Secretary

d/d
by
copied

I have the honor to state as
follows in reply to the above;—

I have no recollection of having
ordered or authorized the withdrawal of
my order. If I was strong on any point
it was the undesirability of having
Oozmansab & his family in charge of the
Postoffice of Benkipur. The precis prepared
by the Asstt Commissioner on which my order
was passed will show the previous history
of the family. There were serious riots
& disturbances for two or three years
continuously in Benkipur, all due
to the baneful influence of the
family, & there were signs of the
contagion of lawlessness spreading

45

No. 10752/1035 dt. 10-12-94

(14)

To

The Deputy Commissioner
Shimoga District

L.R. 133-92-12

Sir,

With reference to Govt
Order No. 5323-4 dated
dt. 15-9-93

4th September 1893, regarding
the withdrawal of Sri. Subbaraya
Gowda's order dated 20th Sept 1892
Patel of Venkatapura named
Parvathi and the latter having
I am directed to forward
to you herewith the cor-
-respondence noted in the
margin, from which it will
be seen that the enquiry
made in the late Revenue
Secretariat Office against
Sri. Subbaraya Gowda
Patel of Venkatapura named
Parvathi was taken up
made by Sriman Lal in the
presence of Sri. Venkatachar
at Venkatapura Sri. Subbaraya

1. Letter No. 20 dated 11th Nov 1893 from Sri. Venkatachar
2. Letter No. 405 dated 22nd Nov 1893 from Sri. Subbaraya
3. Sri. Subbaraya's petition dated 1st Dec 1893 (to be returned with the above cases)

Can decided the order
in question & be left in
abeyance, & not a cor-
portioned & entire Dr
Simmalachan shall
be tan and the slightest
recollection of the circum-
stance is by Dr Pudham
Ella who says that it is
to the last degree improbable
that he would have recalled
the order which was delivered
personally by him. I am
to request you to cause
a further and careful
search to be made for the
slip of paper alleged to
contain Dr Sundaram's
consent order and entered
in Dr ~~Swamy~~ Simmala
chari's letter of 10 Jan
1893, and if the alleged
written authority is not
produced, to call for the
explanation of the Police
concerned and submit
a full report for the

49

Order for Imprisonment
of Jesse Popkin received
with Immediate
letter in regard to
Defense & Submission

Shave me

Bail
10/-

48

Submitted to the Hon'ble Council with reference.

There can be no question of the correctness of the order passed in the case and the case was a proper one for the Revocation order in the proceedings. The order ought to have been implemented as usual.

The question concerning the Revocation is that notice may be taken of the appeal preferred by Narayana Rao to the Chief Secretary to Government against the order passed by the Deputy Commissioner of Kolar on the 15/3

* The order passed L.R. 133-92 was received on 4/9/93 and the appeal was preferred on the 13th idem.

(General Serial No. 30.)

1894

13862
14 . 91
P. 621

From

The Deputy Commissioner
Kolar
Dated 45-743

To

The Chief Secretary to the Dewan of Mysore.

Dated 20th -

Despatched

Received

Enclosures No. 2 & 2 Files

General No. 5-2-1

D No. 3 / 1 / 1

With reference to letter No. 10-52/1895 dated 10th January last forwarded two files of papers containing petition of Narayana Rao to the Hon'ble the Chief Secretary to Government against the order passed by the Deputy Commissioner of Kolar on the 15th March last in the matter of the Revocation of the Patel ship of Kolakonda village, Kolar Taluk, I am directed to forward herewith the petition of Narayana Rao and to request that the Hon'ble Council may be pleased to take such action in the matter as may be deemed necessary.

Dated 13/3/94

1894

(15)

K 9

From

The Deputy Commissioner
Shimoga District

To

The Chief Secretary to the
Dewan of Mysore

Dated 12th March

No. 451/694 Rec'd 20 & 22 Ditto

Chief Secretary's letter
No. 10752/1035 dated 11th January
last directing to make a
further and careful search
for the slip of paper
containing Mr. Gradwell
Rao's remarks under regarding
the Kentiapur Patti case.

With reference to
the above from the Honor

to state that a further
search being made among
the old papers of the former
Revenue Board of
Viziagapatam & Guntur,
two slips of papers containing
the Instructions referred to therein dated
this Patti case have since
been found and the same
are herein enclosed in
original

(2) The records received
with the above are returned
herewith for reference.

3 The Board of Revenue Register
of the Godavary District
of the Circar Godavary District,
which appears to have

been

51

send to this office any
mistake with the above
records is also returned.

Respectfully
City Recorder
Shenandoah

(16)

52

Proceedings of the Government
of H. H. the Maharaja of Jeypore

Read again—

Proceedings of Government
No 5323-4 / P.F. 45-93. dated 4 September
1893

Read—

(1) Letter No 120 dated
November 893 from the
District Judge Major Dun-
son

(2) Letter dated 1st Decem
-ber 1893 from the Inspector
General of Police

(3) Letter, No 80/694 dated
1 March 1894 from the
Deputy Commissioner, Viza
-ga District

L.R. 133.92.14

Order

In connection with certain
Proceedings submitted to
Government by the Deputy
Commissioner of Vizaga
on a period of which

the

the decision of Government
in ~~this~~ Official No. 43 of
1892-93 was passed enquiry
was instituted to ascertain
under what circumstances
an order issued by the
Mirdhara Rowas Deputy
Commissioner, Chenaga
District, on the 20 Novem-
-ber 1887, directing that
the family of Canaan
Sahi be debarred from all
right to the Patta of
Bankijuri, had been with-
drawn 5 days afterwards by
an order signed by the
Samaddhar Amanat
Commissioner Lieut Mirdhara
Row when 2 replying to the
reference made to him
on the subject, was not
able to recollect that he
had ordered or authorized
the withdrawal of the
said order, but the two

slips

45

Note containing office
notes and orders, now
submitted by the Deputy
Commissioner Charlottenburg
that the Entrance notice
required to have passed
in accordance with the
order passed by Sir Ma-
dhava Row Sindia
and that no claims what-
ever could be admitted
to the Subordinate officials
of the Deputy Commissioners
office

3 The two Nos will be
sent as required, in a
sealed cover to Sir Madha-
va Row for personal
transmission to the Deputy
Commissioner to be filed
with the proceedings of the
case.

No 1585-7 Dt 28-3-94
Ent 45-95 23.

Read 20/3/94

To The Inspector of Police
The District Judge of Bijapur Dist
The Dy Commr & Sessions Judge Dist
and Guards
with Warrants

Read 20/3/94
for Deputy Secretary

(1)

(8)

Appeal No 43 of 1892-93.

Appellant.
Nanjundappa
of Benkipur.

Facts of the case -

The Appellant claims the Pateli of Benkipur in the Shemoga taluk. He is not a Hakdar, but once acted as Gumasta in 1883 during the minority of the Hakdar named Hussen Saheb, and when the latter was sentenced to imprisonment in May 1887 for the offence of rioting, he was appointed as Patel on probation for a period of five years. The Dy Commr in sanctioning this arrangement ordered, on 20 Sept 1887, that enquiry be made in the mean-time if there was any person or family other than the convicted Patel's relations, having claims to the Pateli, and remarked that there was nothing to show who the appellant was, and whether he was a man of means and local influence

This order was however recalled on the 23rd Idem. The Dy Commr intended holding a personal enquiry at the spot but deferred it. The ~~Collector~~ Appellant who had been put in charge of the Office continued to hold it as no one else was appointed till the 20th August 1892, when, on the representation of the dismissed Patel Hussensahb, his minor son Abdul Sattar was appointed Patel and one Mahommad Muja as Gumaster.

The ~~Collector~~ Appellant urges that the restoration of the Watk to the family of the convicted Patel is wrong as the late Dy Commr had ordered that the said Patel's family and connections should be debarred from all right to the Office.

Draft of Proceedings ... Dy Commr ... Ahmednagar ... 8 ... Letter referred to ... observations ... made at ... Journal ... Bd ... Ahmednagar

The appt has ~~been~~ no right to the Office. He has ~~been~~ just on temporary basis during pleasure of the final orders of the Govt and this appeal is premature & ~~being~~ rejected

4/9/93

7/8 In the record.
688

(8)

Shimoga District
Deputy Commis's Office
Shimoga 27th October 1872

(4)

To

The Chief Secretary to the
Dewan of Mysore

Sir,

In returning the petition with enclosure received with official memorandum from the Dewan's office No. 456 of the 22d Instant, I have the honor to submit the proceedings of the case and to report as follows:-

2 Petitioner alleges that Mrs Hindhawa Rao B.A, the former Deputy Commr dismissed Patel Coomar

of Benkipur, and appointed the Petitioner as Patel instead, and that I cancelled the order passed by that officer and removed the Petitioner from the office.

3. Petitioner's allegation is wholly unfounded.

4. Patel Woman's suit was dismissed so far back as 1872 and his minor son Mahomed Hassan was appointed his successor in 1874 and was ordered to take up his duties in 1884 on probation.

5. In 1887 this Patel was convicted of rioting and imprisoned for six months when the

(12) having on the 23rd September directing that it should not be given effect to.

8. On the 7th December 1887 he sent an order to the Amildar stating that he would personally enquire into the case when he next visited Benkipur. The proposed local enquiry does not appear to have been made.

9. In the face of these orders Petitioner was allowed to continue to officiate till 20th August 1892 when he was replaced under my orders dated the 13th August No 221.

10. The Amildar gave

no better explanation
as to his having allowed
the Petitioner to continue
in direct contravention
to the above orders than
that he received no express
orders to turn out the
Officiator. This explana-
tion was most unsatis-
factory, for if he had
any doubts he could have
referred for orders then
and there.

III. Another Petitioner
officiated for more than
5 years drawing the
annual emoluments of
the office to the detriment,
I regret to be compelled
to remark, of the interests

No 1538 Jun: Ver: record
1476

Shimoga District
Dy Commr's Office
Shimoga 28th June 1893

(22) (67)

To

The Chief Secretary to the
Dewan of Mysore

Sir,

With reference to your docket No 20890/1636 of the 16th Instant, I have the honor, in retransmitting the Proceedings, to submit copy of my order noted on the margin.

221 dated 13th August/92.

2. The grounds for the order are fully detailed in this office letter No 718/688 under adverted.

3. I wished to see the papers if any, showing under what circumstances the former Deputy Commissioner rescinded his order alluded to in para 6 of my letter in question, and also the several petitions said to have been presented by Osman Sab from time to time

and if any orders were passed on them. These references are not forthcoming, and I have nothing to add to what I have already stated in the case.

I have the honor to be

Sir,

Your most obedient servant

Abdul Rahman K. B.r

By Commissioner

Before the Government of *His Highness* the Maharaja of Mysore.

26

Appeal No. 43 of 1892-93.

(10)

Appellant. Respondent.

Nanjundappa of Benkipur.

L. R. 133-92-7

Decision. Facts of the case.

The appellant claims the patéli of Benkipur in the Shimoga Taluk. He is not a hakdar, but once acted as gumasta in 1883 during the minority of the Hakdar named Hussein Saheb, and when the latter was sentenced to im- prisonment in May 1887 for the offence of rioting he was appointed as patél on probation for a period of five years. The Deputy

Commissioner in sanctioning this arrangement ordered, on 20th September 1887, that enquiry be made in the meantime if there was any person or family other than the convicted patels' relations, having claims to the patels, and remarked that there was nothing to show who appellant was and whether he was a man of means and local influence. This order was however recalled on the 23rd Idem. The Deputy Comr. intended holding a personal enquiry at the spot but deferred it. The appellant who had been put in charge of the office continued to hold it as no one else was appointed, till the 20th August 1892, when, on the representation of the dismissed

No 727
As 43.

30

(9)

Office of the Deputy Commr
Petition Dept
10th September 1893.

13

Endorsement granted to Ranjindappa of Benkipur, Shimoga Taluk in reply to his Petition No 727/As 43 of 1892-93 appealing against the order of the Asst Commr of Shimoga regarding the Patels of Benkipur

—

Petitioner is informed that his appeal is rejected.

By order

Sd 20/9

Asst

Chief Sheristadar

12

No. 120 Re: one file of papers as per list in left pocket. 32

Shimoga 10th November 1893.
ansd 11th

11

From

B. Sivanadacharlu Esqre. B.L.
District & Sessions Judge
Nagar Division

To

The Chief Secretary
to the Dewan of Mysore
Bangalore.

Sir,

In returning herewith the enclosures of Government Proceedings No. 5323-24 / P. F. 45-93 dated the 4th September 1893, I have the honour to state that being unable to remember the circumstances under which, on the 23rd September 1887, a Canarese yadast bearing my signature was addressed to the 2nd Assistant Commissioner, requesting him to keep in abeyance the order which had been passed by Mr Madhava Rao on the 20th idem regarding the dismissal of the Patel of Benkipur village in the Taluk of Shimoga, I requested the Deputy Commissioner

Mr Abdul Rahiman, & send his Revenue
Sheristadar over & me with the
view of ascertaining from him the
facts of the case, as they transpired
at the time. The present Sheristadar
Mr Coelho, was accordingly sent to
me, but as he was not the Revenue
Sheristadar at the time when the
yadast in question was written,
he could give me no information
on the subject from his own personal
knowledge, but he told me that
when a correspondence was going
on between you and the Deputy
Commissioner on the same subject,
he had occasion & ask Mr Vira=
raghavalu Naidu, who was Revenue
Sheristadar at that time & who
is now auditor of the Shimoga
Taluk, & who has initialled the
yadast in question, as to how
it came to be issued contrary
& Mr Madhava Rao's written
order on the subject, & that
Mr Viraraghavalu Naidu informed
him

Spreading to Shemoga.

If I remember right this was the only order depriving a whole family of the hak passed by me while in Shemoga, and it was passed under the exceptional circs of the case & as a warning to others, and it is to the last degree improbable that I should have recalled the order so deliberately passed.

If there was anything reserved for reconsideration it was as to who should be given the hak permanently. The question of a permanent haggar being one requiring much inquiry & consideration was not disposed of then & there.

I may as well state here that it was my intention to have confirmed the acting man Nanjundappa if the papers had been placed before me as I was leaving Shemoga, & the Mundkur told me I should have recorded my confirmation of the temporary arrangement.

Whatever the case as regards the temporary man may have been the order depriving Osman Sahib family of the haggadi was absolute & it was passed in the interests of the public & of good govt

44

There was no idea in my mind of restoring him or his son or any members of the family or of withdrawing the order passed by me.

I may note here that I do not see in the papers the order dated 7th Dec 1887 said to have been issued to the amildar to say that I should personally enquire into the matter - to be kept pending See para 8 of the Dy Com's letter no 718/688 dated 27th Oct 1887 the letter does not say what the matter was that I proposed to inquire into I have the honor

to be

Sir

Your most obedient servant

H Madhavarao

To

The Chief Secretary to the
Dewan of Mysore

The entire file is returned as received

H Madhavarao

1st December 1887

Camp Mysore

Office
1 Register
2 Petn of appellant dy from
no 8265
3 Submit to Judl Commr
Vith
26/12